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Attorneys for Defendants  
CITY AND COUNTY OF SAN FRANCISCO,  
and SHERIFF MICHAEL HENNESSEY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EARL BROWN Sr., individually and as  
personal representative of the Estate of  
decedent EARL BROWN Jr.; HELEN  
BROWN, individually and as personal  
representative of the Estate of decedent EARL  
BROWN Jr.,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, a municipal corporation; SAN  
FRANCISCO SHERIFF'S DEPARTMENT, a  
municipal corporation; SHERIFF MICHAEL  
HENNESSEY, in his capacity as SHERIFF for  
the City and County of San Francisco; DOES  
1-25, inclusive; individually and in their  
official capacities as SHERIFF'S DEPUTIES  
for the City and County of San Francisco,

Defendants.

Case No. C11-02162 LB

**STIPULATION AND ~~PROPOSED~~ ORDER  
TO CONTINUE DEFENDANTS' MOTION TO  
DISMISS**

Hearing Date: October 6, 2011  
Time: 11:00 a.m.  
Place: 1301 Clay St., Oakland  
  
Trial Date: Not Set

1 The undersigned parties, through counsel, STIPULATE and AGREE and jointly request  
2 modification of Magistrate Judge Laurel Beeler's August 31, 2011 Order Granting Motion To Enlarge  
3 Time To File Opposition by continuing the Motion to Dismiss hearing from October 6, 2011 to  
4 October 13, 2011.

5 The parties make this request based on the following circumstances:

- 6 1. Defendants initially scheduled the hearing on this matter for September 1, 2011.
- 7 2. On August 31, 2011, the Court issued an order altering the briefing schedule and  
8 rescheduling the hearing for October 6, 2011.
- 9 3. Due to a long preplanned vacation, and another court hearing in a different matter,  
10 neither counsel for the City is able to appear on October 6, 2011.
- 11 4. No other dates will be affected by this requested change.

12 For the aforementioned reasons, the parties jointly request that the Motion to Dismiss hearing  
13 currently scheduled for October 6, 2011 be continued to October 13, 2011, or beyond, if more  
14 convenient for the Court.

15 **IT IS SO STIPULATED.**

16 Dated: September 13, 2011

DENNIS J. HERRERA  
City Attorney  
JOANNE HOEPER  
Chief Trial Deputy  
SEAN F. CONNOLLY  
Deputy City Attorneys

17 By: s/Sean F. Connolly  
18 SEAN F. CONNOLLY  
19 Deputy City Attorney  
20 Attorneys for Defendants CITY AND COUNTY OF  
21 SAN FRANCISCO, et al.  
22

23 Dated: September 13, 2011

LAW OFFICES OF JOHN L. BURRIS

24 By: s/Benjamin Nisenbaum  
25 BENJAMIN NISENBAUM

26 Attorneys for Plaintiffs  
27 EARL BROWN SR., et al.

28 Pursuant to General Order 45, §X.B., the filer of this  
document attests that he has received the concurrence of  
this signatory to file this document.

**ORDER**

Based on the above stipulation, and for good cause appearing, IT IS ORDERED that the Motion to Dismiss hearing be continued from October 6, 2011, to October 13, 2011.

Dated: September 15, 2011



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LAUREL BEELER  
UNITED STATES MAGISTRATE JUDGE